

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TONI JENKINS and
ROSA SCHWARTZ,
Plaintiffs,

v.

THE INSURANCE COMPANY OF
THE STATE OF PENNSYLVANIA,
et al.,
Defendants.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. H-05-2495

REMAND ORDER

This case is before the Court on the Motion for Remand [Doc. # 5], to which no opposition has been filed. It appearing that complete diversity between the parties does not exist in this case because Plaintiff Jenkins and Defendant Belinda Ybarra are both citizens of Texas, it is hereby

ORDERED that the Motion for Remand [Doc. # 5] is **GRANTED** and this case is **REMANDED** to the 295th Judicial District Court of Harris County, Texas, for lack of subject matter jurisdiction.

SIGNED at Houston, Texas, this **24th** day of **August, 2005**.


Nancy F. Atlas
United States District Judge